

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

PPS DATA, LLC,

Plaintiff,

v.

JACK HENRY & ASSOCIATES, INC.,

Defendant.

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CIVIL ACTION NO. 2:18-CV-00007-JRG

ORDER

Before the Court is the Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 101 (“the § 101 Motion”) filed by Defendant Jack Henry & Associates, Inc. (“JHA”). (Dkt. No. 81). This Order sets forth the Court’s resolution of the § 101 Motion. The Court will issue a Memorandum Opinion and Order including a full analysis of the claims and its reasoning at a later date. This Order serves to guide the Parties’ preparation in view of the rapidly approaching date set for trial.

Having considered the § 101 Motion, the Court finds it should be and hereby is **DENIED**. The Court finds that there are genuine disputes of material fact with respect to whether “the claim limitations involve more than performance of ‘well-understood, routine, and conventional activities previously known to the industry.’” *Berkheimer v. HP Inc.*, 881 F.3d 1360, 1367 (Fed. Cir. 2018) (quoting *Alice Corp. v. CLS Bank Int’l*, 573 U.S. 208, 224 (2014)).

So ORDERED and SIGNED this 26th day of August, 2019.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE